

1 AN ACT concerning finance.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 1. Short title. This Act may be cited as the
5 Member Initiative Sunshine Act.

6 Section 5. Applicable projects. As used in this Act,
7 "project" means any of the following:

8 (1) Any road project that is not delineated in the
9 most recent publication of the Illinois Department of
10 Transportation's Five-Year Highway Program.

11 (2) Any project that will ultimately be paid for
12 with moneys from the Fund for Illinois' Future.

13 (3) Any project funded through appropriations or
14 reappropriations to the Department of Commerce and
15 Economic Opportunity if (i) there is not a specific line
16 item appropriation for the project and (ii) the project
17 involves a grant to a unit of local government, an
18 educational entity, a not-for-profit organization, or any
19 other governmental unit.

20 (4) Any project funded from an appropriation
21 contained in Section 1, 2, 3, 4, 5, or 6 of Article 3 of
22 Public Act 92-0587 or any reappropriation of these funds.

23 (5) Any project funded through the Department of
24 Natural Resources' Open Land Trust Program.

25 Section 10. Approval for projects required. No officer,
26 employee, or agent of the State may expend funds for any
27 project unless funding for that project has first been
28 approved by the Member Initiative Review Panel in accordance
29 with the provisions of this Act.

1 Section 15. Member Initiative Review Panel established.

2 (a) The Member Initiative Review Panel shall consist of
3 3 members as follows: the Governor or his or her designee,
4 who shall serve as chairperson, the State Treasurer or his or
5 her designee, and the State Comptroller or his or her
6 designee.

7 (b) The Panel may promulgate any reasonable rules
8 necessary to implement this Act.

9 Section 20. Notification of project.

10 (a) Within 30 days after the effective date of this Act
11 with respect to projects pending on that effective date and
12 within 30 days after any other project is proposed for
13 funding through appropriated amounts, the Governor must
14 notify the Panel of the project.

15 (b) All notifications under this Section must be in
16 writing and must contain all of the following:

17 (1) A detailed description of the project,
18 including a budget.

19 (2) A copy of the statute, agency rule, or other
20 instrument creating the project.

21 (3) The name of all General Assembly members in
22 whose district the project will be located and all
23 General Assembly members who were the principal sponsors
24 or chief co-sponsors of any legislation to create or fund
25 the project.

26 (4) The name, address, and telephone number of a
27 contact person who is knowledgeable of the details of the
28 project.

29 Section 25. Public hearing schedule.

30 (a) Upon receipt of the notification under Section 20 of
31 this Act, the Panel must schedule a public hearing concerning
32 the project. The hearing must take place within 60 days

1 after the receipt of the notification under Section 20. The
2 Panel must meet at least once every month unless there are
3 fewer than 10 projects pending.

4 (b) At least 10 calendar days before the public hearing,
5 the Panel must notify all of the following of the date,
6 place, and time of the public hearing:

7 (1) The contact person provided in the notification
8 under Section 20.

9 (2) All General Assembly members in whose district
10 the project will be located and all General Assembly
11 members who were the principal sponsors or chief
12 co-sponsors of any legislation to create or fund the
13 project.

14 (3) The Director of each State agency that created
15 or will administer the project.

16 (4) The Governor, State Comptroller, and State
17 Treasurer.

18 Section 30. Governor's recommendation.

19 (a) At least 5 calendar days before the public hearing
20 on a project, the Governor or his or her designee must submit
21 a written recommendation to the Panel concerning the funding
22 of the project. The Governor may recommend that (i) funding
23 for the project be approved or (ii) funding for the project
24 be denied.

25 (b) Each recommendation by the Governor under this
26 Section shall be maintained as a public record and must be
27 made available for public inspection and copying. Each
28 fiscal quarter, the Office of the Governor shall publish a
29 list of all of the Governor's recommendations under this
30 Section. The list must include a brief synopsis of each
31 project and must state whether the Governor recommended that
32 funding be approved or denied for that project.

1 Section 35. Conduct of public hearing. At the public
2 hearing, the Panel shall consider the Governor's
3 recommendation for the funding of the project and allow each
4 person who must be notified under subsection (b) of Section
5 25, or a representative of that person, and any other
6 interested party an opportunity to present oral or written
7 evidence concerning the funding of the project. After all of
8 the evidence has been presented, the Panel must conduct a
9 vote on the question of whether funding for the project shall
10 be approved.

11 If 2 or more members of the Panel vote to approve funding
12 for the project, then the appropriate officers, employees, or
13 agents of the State may expend moneys for the project as
14 otherwise provided by law. The Panel's approval of the
15 project shall be deemed to be a commitment from the State to
16 fund that project.

17 If fewer than 2 members of the Panel vote to approve
18 funding for the project, then no money may be expended for
19 the project and the Panel's decision shall be honored by all
20 officers, employees, or agents of the State. If a project is
21 not approved to be funded, then, within 10 business days
22 after the decision, the Panel must notify each person listed
23 in subsection (b) of Section 25 stating the reasons for the
24 denial of funds. If a project is not approved to be funded,
25 then, no less than 90 days after the Panel gives notification
26 of the denial of funds, the Governor may resubmit the project
27 for review by the Panel by notifying the Panel under Section
28 20.

29 Section 40. Quarterly report. At the end of each fiscal
30 quarter, the Panel must issue a written report to the
31 Governor and to each legislative leader detailing all
32 projects reviewed by the Panel for that quarter, a detailed
33 description of those projects, and the Panel's action on

1 those projects.